

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

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SARAH C.,  
*Appellant,*

*v.*

DEPARTMENT OF CHILD SAFETY AND M.C.,  
*Appellees.*

No. 2 CA-JV 2019-0081  
Filed October 30, 2019

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THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

*See* Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f);  
Ariz. R. P. Juv. Ct. 103(G).

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Appeal from the Superior Court in Pima County  
No. JD20180007  
The Honorable Casey F. McGinley, Judge

**AFFIRMED**

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COUNSEL

Sarah C., Phoenix  
*In Propria Persona*

Mark Brnovich, Arizona Attorney General  
By Michelle R. Nimmo, Assistant Attorney General, Tucson  
*Counsel for Appellee Department of Child Safety*

Pima County Office of Children's Counsel, Tucson  
By Sybil Clarke  
*Counsel for Minor*

SARAH C. v. DEP'T OF CHILD SAFETY  
Decision of the Court

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**MEMORANDUM DECISION**

Judge Eckerstrom authored the decision of the Court, in which Presiding Judge Eppich and Judge Espinosa concurred.

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ECKERSTROM, Judge:

¶1 Sarah C., mother of M.C., an Indian Child for purposes of the Indian Child Welfare Act (ICWA), 25 U.S.C. §§ 1901-1963, born in November 2017, appeals from the juvenile court's June 2019 order terminating her parental rights based on her chronic substance abuse and the length of time the child was in court-ordered care, pursuant to A.R.S. § 8-533(B)(3) and (8)(b). Appointed counsel filed an affidavit in accordance with Rule 106(G)(1), Ariz. R. P. Juv. Ct., avowing he had found no non-frivolous issue to raise on appeal, informing this court Sarah wished to file a brief in propria persona, and requesting additional time to permit her to do so, which this court granted. Sarah has filed a letter, which we regard as that brief. We affirm.

¶2 In a thorough ruling, the juvenile court reviewed the history of this matter, which began as a dependency proceeding, describing Sarah's lengthy and persistent history of substance abuse, including heroin, methamphetamine and marijuana, notwithstanding a panoply of services designed to address the problem. The court noted that Sarah used these substances while pregnant with M.C., who tested positive for all three after being born prematurely and with some of her organs outside her body cavity, resulting in special medical needs. Acknowledging she had "made some poor mistakes, poor decisions to get parental rights taken in the past," Sarah asserts that she is currently "in a stable environment," expected to be employed a few days after filing her brief, and had been sober for three months. She also claimed she was enrolled in an intensive outpatient services program with Native American Connections and had "graduated" from another program a few months earlier. Sarah essentially contends that since the court terminated her parental rights, she has made great progress, asserting she loves her child and wants to be with her. She asks this court to reverse the juvenile court's order based on her progress and her commitment to and love for M.C.

¶3 As the Department of Child Safety (DCS) and counsel for M.C. correctly assert, Sarah has failed to raise any ground upon which this

SARAH C. v. DEP'T OF CHILD SAFETY  
Decision of the Court

court can disturb the juvenile court's ruling, waiving any claim for appellate review. She does not raise any argument that would provide this court with a reason to disagree with the ruling. She does not challenge the sufficiency of the evidence to support the court's findings that clear and convincing evidence established the two statutory grounds, that the evidence proved beyond a reasonable doubt DCS had satisfied the requirements of ICWA, justifying the additional findings required by ICWA, or that a preponderance of the evidence established termination of Sarah's rights was in M.C.'s best interests.

¶4 An opening brief must contain a statement of the issues and an argument that includes citation to legal authorities and appropriate references to the record. Ariz. R. Civ. App. P. 13(a) (requirements for opening briefs); *see also* Ariz. R. P. Juv. Ct. 106(A) (Rule 13, Ariz. R. Civ. App. P., applies to appeals from final orders of juvenile court). Sarah has failed to comply with the requirements of the applicable rules, and by failing to comply with the rules, a party waives arguments on appeal. *Ritchie v. Krasner*, 221 Ariz. 288, ¶ 62 (App. 2009). We may reject an argument based on lack of proper and meaningful argument alone. *See Bennigno R. v. Ariz. Dep't of Econ. Sec.*, 233 Ariz. 345, ¶ 11 (App. 2013).

¶5 DCS is correct that M.C. is not entitled to an independent review of the record by this court, *see Denise H. v. Ariz. Dep't of Econ. Sec.*, 193 Ariz. 257, ¶ 7 (App. 1998), and that Sarah, as a self-represented litigant, is held to the same standards as attorneys, *see Flynn v. Campbell*, 243 Ariz. 76, ¶ 24 (2017). We have no basis for reversing the juvenile court's order and therefore we affirm it.